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FRANK POLICARO, <i>et al., etc.</i> ,)	
)	CASE NO. 4:23CV0495
Plaintiffs,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
NORFOLK SOUTHERN)	
CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	<u>ORDER</u>

* * * * *

EDWARD E. BARNHOUSE, <i>et al., etc.</i> ,)	
)	CASE NO. 4:23CV0510
Plaintiffs,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
NORFOLK SOUTHERN)	
CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	<u>ORDER</u>

On March 8, 2023, the Court entered an Order in each of the 18 cases then pending on the docket of the undersigned. Since that time, three new cases have been filed. *See Irizarry v. Norfolk Southern Corp.*, No. 4:23CV0479 (N.D. Ohio filed March 9, 2023); *Policaro v. Norfolk Southern Corp.*, No. 4:23CV0495 (N.D. Ohio filed March 11, 2023); *Barnhouse v. Norfolk Southern Corp.*, No. 4:23CV0510 (N.D. Ohio filed March 13, 2023).

I.

On or before March 15, 2023, counsel for Plaintiffs in *Irizarry*, *Policaro*, and *Barnhouse* shall join in the filing in Case No. 4:23CV0242 (*i.e.* the first-filed case) of the motion proposing

a class counsel organizational structure, including, if necessary, a competing structure(s). *See* [Fed. R. Civ. P. 23\(g\)](#). The motion shall include in a single document the views of all counsel for Plaintiffs in the 21 cases now pending on the docket of the undersigned. Attorneys Seth A. Katz and M. Elizabeth Graham are responsible for coordinating the final version of the motion and Attorney Jayne Conroy shall file the motion. The motion and any briefing regarding it shall not be filed in any of the other pending cases.

II.

On or before March 15, 2023, counsel for Plaintiffs in *Irizarry*, *Policaro*, and *Barnhouse* shall join in the filing in Case No. 4:23CV0242 of the Joint Status Report setting forth their views and the views of defense counsel regarding (1) the potential consolidation of the 21 cases, pursuant to [Fed. R. Civ. P. 42\(a\)](#), (2) the filing of a Master Consolidated Amended Complaint in Case No. 4:23CV0242, and (3) the timing of Defendants' responsive filing. Attorneys Seth A. Katz and M. Elizabeth Graham are responsible for coordinating the final version of the Joint Status Report and Attorney Jayne Conroy shall file it. The Joint Status Report and any briefing regarding it shall not be filed in any of the other pending cases.

IT IS SO ORDERED.

March 14, 2023
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge